

V  
U.S.A.

CA-NO:04-335E

## PreTrial Statement

## I. Nature of action; Jurisdiction

plaintiff brought suit against Defendant pursuant to 28 U.S.C. § 1346(b) for the alleged denial of Medical Care and Treatment and Unconstitutional Condition of Confinement during plaintiff's incarceration at F.C.I. McKean in Violation of plaintiff's Eighth Amendment right.

## II. Statement of Facts

plaintiff alleges that the officials of Bureau of Prisons (BOP) Medical personnel at The Federal Correction Institution McKean Pennsylvania "F.C.I. McKean" intentionally neglected treatment that caused and continues to cause the plaintiff permanent injury. Plaintiff alleges that F.C.I. McKean personnel who are charged with treating plaintiff as a human being failed to do so. F.C.I. McKean Medical personnel also failed to provide proper health care. Plaintiff alleges that F.C.I. McKean Medical personnel knowingly and deliberately ignored their obligations to treat plaintiff after he was diagnosed with Staphylococcus Aureus and principal treatment did not resolve the Staph infection. Plaintiff went through a crucial and continues to have recurring symptoms even after various people from the outside intervened including a doctor.

## III. Witnesses

Plaintiff will reserve the right to call as witnesses in the trial of the above-captioned matter, the following:

1. Joseph Narvaez, P.O. Box 8000, Bradford, PA 16701. Mr. Narvaez is plaintiff's friend and lived in the same unit with plaintiff. Mr. Narvaez witnessed plaintiff's experiences from May 24, 2002 thru the time plaintiff was locked up in segregation.
2. Donald Jackson, P.O. Box 8000, Bradford, PA 16701. Mr. Jackson is plaintiff's friend and lived in the same unit with plaintiff. Mr. Jackson witnessed plaintiff's experiences from May 24, 2002 thru the time plaintiff was locked up in segregation. Mr. Jackson extensively helped plaintiff research his Staph Infection of August 12, 2003. Mr. Jackson is very knowledgeable as he reads many hours a day and found in both newspapers and magazines and medical books issues of plaintiff's Staph Infection.
3. Maynor Vasquez, P.O. Box 8000, Bradford, PA 16701. Mr. Vasquez was plaintiff's cellmate from the time he was diagnosed with Staphylococcus Aureus. Mr. Vasquez witnessed before plaintiff's infection and throughout his ordeal with the untreated Staphylococcus Aureus infection. Mr. Vasquez can recall all the mornings plaintiff awoke with puss-like fluid all over plaintiff's pillow case, shirt and sheets. Mr. Vasquez can also witness and testify the way plaintiff's eyes, face, lips, and throat would get as he was plaintiff's cellmate.

4. Anthony Sciacca, P.O. Box 8000, Bradford, PA 16701. Mr Sciacca is plaintiffs Friend and Witnessed plaintiffs Ordeal of August 12, 2003's Staphylococcus Aureus Since he also Lived in the Unit with plaintiff. Mr. Sciacca found evidence in Reading Many health Magazines, Newspapers, etc. That plaintiffs Staph Infection was Contagious, especially The yellowpuss Like Fluid plaintiff Would Leak out of his Lips. Mr. Sciacca Severed Ties with plaintiff as he "Sciacca" was Extremely Afraid to be in plaintiffs presence. Mr. Sciacca Realized plaintiff was being refused Treatment For his Staphylococcus Aureus infection and They reconciled.
5. Doctor Vaccaro, Bradford Regional Medical Center, 116 Interstate Parkway, Bradford, PA 16701. Dr. Vaccaro was plaintiffs Doctor From May 27, 2002 Until June 4, 2002 For bacterial pneumonia. Medical Record No. BRMC# 216433, Account # BRMC 4188034.
6. Doctor Kamran Saleh, Bradford Regional Medical Center, 116 Interstate Parkway, Bradford, PA 16701. Dr. Saleh was plaintiffs Attending Physician From May 27, 2002 Until June 4, 2002 For bacterial pneumonia. Medical Record No. BRMC# 216433 Account # BRMC 4188034.
7. Barbara Roy, Lieutenant, P.O. Box 5000 Bradford, PA 16701. Miss Roy is The Lieutenant who on an emergency Drove plaintiff To The hospital on Prison grounds when Plaintiff had Bacterial pneumonia on May 27, 2002.
8. Sandra Rimer, RN, (Unknown) previous address is P.O Box 5000, Bradford, PA 16701. Nurse Rimer met Plaintiff upon arrival of May 27, 2002 By Lt. Roy.

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Nurse Rimer Saved plaintiffs Life with Actions That Lead To his Stay at Bradford Regional Medical Center For eight days with Bacterial pneumonia.

9. Todd Montgomery is The assistant health administrator who on May 27, 2002 Refuse To give Oxygen To Plaintiff and Literally Threw him out of The hospital. Plaintiff was denied proper Treatment By Mr. Montgomery, Something That is Normal at F.C.I McKean ie, you either get Motrin or Tylenol. Mr. Montgomerys Actions Led To plaintiff being Rushed (6) Six hours Later To BRMC.

10. M. Flowers, P.O. Box 5000, Bradford, PA 16701. Mr. Flowers is Plaintiffs Teacher and Can Verify How plaintiff Looked Before and after Through his Ordeal with plaintiffs infection of Staphylococcus Aureus. Mr. Flowers Called on More Than ~~one~~ Several occasions For plaintiff To be Seen By health Services.

11. James F. Sherman, Warden, P.O. Box 5000 Bradford, PA 16701. Mr. Sherman is The Warden at F.C.I McKean and Wrote an unaccurate Letter Regarding plaintiffs infection. Mr. Shermans Policy at F.C.I McKean is Not to Send Inmates To the outside hospital unless it's a Matter of Life or Death in Order To Save Money.

12. Dr. Beam, P.O. Box 5000, Bradford, PA 16701. Dr Beam is plaintiffs Doctor who gave Conflicting Results and Conflicting Treatments as to plaintiffs Staph Infection. Even after an Outside Doctor intervened with alternative Treatment.

13. D. J. Whitmore, P.O. Box 5000, Bradford, PA 16701. Mr. Whitmore was plaintiff's Recreational Supervisor and Witnessed plaintiff's Facial View.
14. Tom Perry P.O. Box 5000, Bradford, PA 16701. Mr. Perry was plaintiff's Recreational Supervisor and Witnessed plaintiff's Facial View.
15. Denny Flatt, P.O. Box 5000 Bradford, PA 16701. Mr. Flatt is The Education Supervisor But while plaintiff was at The Worse Stages of his Ordeal with his Staph Infection Mr. Flatt was The Recreational Supervisor in charge and Seen plaintiff's Facial View.

(At This Time plaintiff has No witnesses deposition, However plaintiff is Seeking The Courts permission To Submit any deposition That plaintiff May be able To obtain and Submit during The proceedings)

IV. Exhibits: Plaintiff will use during Trial of This matter any and all of The exhibits listed below and reserves The right To Supplement The List of Exhibits with The permission of The Court Subject To any and all Rulings on Motions in Limine.

(RETURN TO  
SANTIAGO IN S.A.S.E.) CANO: 04-335E

Dear Clerk,

10/18/05

Please find and file ~~plaintiffs~~  
pretrial statement with list of Exhibits. Can you  
please stamp file this page and return in  
The enclosed S.A.S.E. Can you also please  
send me an updated Docket Sheet. Thank you!

Sincerely,  
F. Santiago

C.C. File

Sketch (AUSA)